

BENJAMIN SACHS

Department of Bioethics
National Institutes of Health
10 Center Drive, Room 1C118
Bethesda, MD 20892

(301) 435-8715
(202) 253-3195
sachsben@cc.nih.gov

CURRENT POSITION

Post-doctoral Fellow, Department of Bioethics, National Institutes of Health

EDUCATION

Dec. 2006: Ph.D. in Philosophy, University of Wisconsin-Madison
Dissertation Committee: Russ Shafer-Landau, Chair; Daniel Hausman,
Robert Streiffer, Lester Hunt, Norman Fost, committee members

May 2001: B.A. in Philosophy, University of Illinois at Urbana-Champaign
Graduation with Departmental Honors

AOS

Ethics, Bioethics, Social & Political Philosophy

AOC

Business Ethics, Environmental Ethics

PUBLICATIONS

‘Reasons and Requirements’

Ethical Theory and Moral Practice 11:1 (February 2008): 73-83

‘The Liberty Principle and Universal Health Care’

The Kennedy Institute of Ethics Journal 18:2 (June 2008): 149-72

‘Extortion and the Ethics of “Topping Up”,’ pp. 3

Forthcoming in *The Cambridge Quarterly of Healthcare Ethics*

‘Consequentialism’s Double-Edged Sword,’ pp. 21

Forthcoming in *Utilitas*

‘The Exceptional Ethics of the Investigator-Subject Relationship,’ pp. 24

Forthcoming in *The Journal of Medicine & Philosophy*

‘Going from Principles to Rules in Research Ethics,’ pp. 33

Forthcoming in *Bioethics*

PAPERS UNDER CONSIDERATION

‘Reasons Incomparability,’ pp. 23

Under review at *Canadian Journal of Philosophy*

'Lingering Problems of Currency and Scope in Daniels's Argument for a Societal Obligation to Meet Health Needs,' pp. 18

Under review at *The Journal of Medicine & Philosophy*

'The Case for Evidenced-Based Rulemaking in Human Subjects Research,' p. 28

Under review at *The American Journal of Bioethics*

PAPERS GIVEN

"Doing Without Moral Status"

APA Pacific Division Meeting, Main Program, April 2009

"A Paradox of Practical Rationality"

Rocky Mountain Ethics Congress, August 2008

"Can Consequentialization Advance the Cause of Consequentialism?"

Conference of the International Society for Utilitarian Studies, September 2008

Annual Meeting of the Wisconsin Philosophical Association, April 2008

"Problems of Currency and Scope in the Equality of Opportunity Argument for Universal Health Care"

APA Eastern Division Meeting, Main Program, December 2008

Conference on Value Inquiry, April 2008

"Teleology and Deontology in Distributive Justice"

APA Pacific Division Meeting, Main Program, April 2007

"Should we Limit PGD Use to the Avoidance of Severe Disabilities?"

Conference on Value Inquiry, April 2006

"Can There Be Reasons that Don't Require?"

APA Pacific Division Meeting, Main Program, March 2006

"The 'You'll Thank Me Later' Defense of Paternalism"

Conference on Value Inquiry, April 2005

"Is There Any Real Difference Between Error Theory and Relativism?"

APA Central Division Meeting, Main Program, April 2005

Conference on Value Inquiry, April 2004

"Luck Egalitarianism and the Equal Moral Worth of Persons"

Annual Meeting of the Wisconsin Philosophical Association, April 2004

"Health Resource Allocation in a Rawlsian Framework"

APA Central Division Meeting, Main Program, April 2004

Conference on Value Inquiry, April 2003

PRESENTATIONS GIVEN

“Ethical Issues Surrounding Human Subjects Research: Past, Present and Future”
Winter Meeting of the Virginia Society of Research Administrators, January 2009

“Dr. Watson or How I Learned to Stop Worrying about Moral Status and Love
Posthumans”

Annual Meeting of the American Society for Bioethics and the Humanities,
October 2008

HONORS

Outstanding Graduate Student Paper Prize, 2006 APA Pacific Division Annual Meeting

BIOETHICS EXPERIENCE

Research Assistantship with Norm Fost, Professor of Pediatrics and Bioethics, 2003-04

Project Assistantship with the University of Wisconsin Human Subjects Institutional
Review Board (IRB), 2003

TEACHING—FULL RESPONSIBILITY

Human Nature (2x Marquette University)

Free will, the mind-body problem, rationalism/empiricism, reason and the
emotions, political liberalism

Reason in Communication (2x University of Wisconsin-Madison)

Informal and formal logic (including categorical, deductive, and inductive logic),
fallacies and rhetorical devices, arguments in legal, moral, and scientific contexts.

Contemporary Moral Issues (3x University of Wisconsin-Madison)

Death penalty, steroids in sports, illegal immigration, affirmative action, the
environment and future generations, biotechnology and world hunger, cloning and
research on the fetus, health resource allocation, just war theory, property rights,
shareholder and stakeholder theories of the corporation, persuasive advertising,
exploitation, bribery, business bluffing.

TEACHING—TEACHING ASSISTANT (all at University of Wisconsin-Madison)

Contemporary Moral Issues (Lester Hunt)

Pornography, hate speech, economic justice, world hunger, discrimination and
preferential treatment, abortion, euthanasia and assisted suicide, drug legalization,
handgun ownership.

Contemporary Moral Issues (Paul Dunn)

Drug legalization, terrorism, torture.

Philosophy of Religion (Keith Yandell)

Various a priori arguments for and against the existence of God, the problem of
evil, the argument from religious experience.

Environmental Ethics (Alan Rubel)

Moral standing of non-human life, genetic engineering of animals, mandatory labeling of genetically engineered foods, biocentrism, ecocentrism.

Introduction to Philosophy (John Koolage)

Methodology, value theory, political philosophy, epistemology, philosophy of religion, free will, normative ethics. (University of Wisconsin-Madison)

SERVICE

Referee, *Journal of Medical Ethics*, 2008

President, UW-Madison Philosophy Department Graduate Student Association, 2002-3

GRADUATE COURSES TAKEN**Courses taken in Value Theory**

Aristotle's Ethics (Gottlieb)

The Moving Image (Carroll)

Metaethics (Shafer-Landau)

New Works in Metaethics (Shafer-Landau)

Ethics and the Law (Hunt)

Issues in Metaethics (Shafer-Landau)

Courses taken in Social & Political Philosophy

Rawls (Streiffer)

Liberalism and the Family (Brighouse)

Equality (Brighouse)*

Liberty (Hunt)

Mill (Hausman)*

Courses taken in Bioethics

Health Resource Allocation (Hausman)

Determinants of Population Health (University of Wisconsin Medical School)

Bioethics and the Law (University of Wisconsin Law School)

Ethical and Regulatory Issues in Clinical Investigation (University of Wisconsin Medical School)

Courses taken in the History of Philosophy

Hume (Enc)

Spinoza (Nadler)

Other

Self-Knowledge (Gertler)

* denotes audited class

REFERENCES

Alan Wertheimer

Senior Research Scholar	301.435.8729	wertheimera@cc.nih.gov
Dept. of Bioethics		
National Institutes of Health		
Building 10 Room 1C118		
10 Center Drive		
Bethesda, MD 20892		

Russ Shafer-Landau

Professor of Philosophy	608.263.3727	shaferlandau@wisc.edu
Dept. of Philosophy		
University of Wisconsin		
600 N. Park St.		
Madison, WI 53706		

Daniel Hausman

Herbert Simon Professor of Philosophy	608.263.5178	dhausman@wisc.edu
Dept. of Philosophy		
University of Wisconsin		
600 N. Park St.		
Madison, WI 53706		

Robert Streiffer

Associate Professor of Philosophy	608.263.9479	rstreiffer@wisc.edu
Dept. of Philosophy		
University of Wisconsin		
600 N. Park St.		
Madison, WI 53706		

Franklin Miller

Senior Faculty Member	301.435.8719	fmliller@cc.nih.gov
Dept. of Bioethics		
National Institutes of Health		
Building 10 Room 1C118		
10 Center Drive		
Bethesda, MD 20892		

James Anderson

Faculty Associate	608.263.7599	jcander1@wisc.edu
Dept. of Philosophy		
University of Wisconsin		
600 N. Park St.		
Madison, WI 53706		

CURRENT RESEARCH PROJECTS

I am currently working on justice in the distribution of health care and the ethics of marginal cases.

The goal of my work on justice is to establish an anti-egalitarian approach to health policy issues. I laid the foundation for this methodology in my article, “The Liberty Principle and Universal Health Care,” where I argued that a universal entitlement to health care can be grounded in Rawls’s liberty principle. That principle is non-egalitarian in that it allows some people to enjoy a greater set of liberties than others, so long as everyone has a sufficiently ample set. I am working on presenting the negative side of the anti-egalitarian tack in two papers (still in progress) in which I attack equality of opportunity. One paper presents a skeptical viewpoint on the suitability of the principle of equality of opportunity for justifying social policy, while the other is a more in-depth look at this problem in the context of a particular social policy: universal health care. In this latter paper I highlight some shortcomings of Norman Daniels’s argument, as presented in his most recent book (*Just Health*), that equality of opportunity grounds a societal obligation to meet health needs when possible. Having established this anti-egalitarian foundation, I want to focus my attention on the practical entailments of this approach. I have already begun to do so, with the forthcoming publication of my paper, “Extortion and the Ethics of ‘Topping Up,’” in which I argue that tiering in health care must be allowed.

My work on the ethics of marginal cases is an attempt to correct what I see as a significant problem in the literature on that topic. Nearly everyone who writes on the ethics of marginal cases—the question of how we morally ought to treat individuals who are significantly more or less psychologically sophisticated than normal adult humans—uses moral status or one of its cognates, yet very little has been said about the metaphysics of moral status. There are dozens of extant theories about the criteria for having moral status, but not one on what moral status is. I suspect that we could make quicker, better progress on the ethics of marginal cases if we cut moral status out of our parlance altogether. In “Dr. Watson or How I Learned to Stop Worrying about Moral Status and Love Posthumans,” which I presented at the annual meeting of the American Society for Bioethics and the Humanities last fall, I offer a general overview of this approach and apply it to the question of how psychologically superior beings would be morally permitted to treat us. I followed up on this initial effort by writing a paper, which I presented at the 2009 Pacific APA, in which I attempt to establish a theoretical basis for the approach. Moving forward I want to argue that talk of moral status is not merely unnecessary and often imprecise, but pernicious as well. My view is that there are certain substantive positions—positions that are currently seen as viable options—on the ethics of marginal cases at which one would never arrive except via the moral status route. Therefore, if we are convinced that there really is no such property as moral status, and I think we should be, then we have grounds for suspecting that those substantive positions are false.